



PATENT
Attorney Docket 045636-5052-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Philippe Roch <i>et al.</i>)	
)	
Application No. 10/030,231)	Examiner: Nita M. Minnifield
)	
Filed: June 20, 2002)	Group Art Unit: 1645
)	
For: Antimicrobial Peptides Derived From)	Confirmation No. 5815
Mollusks)	


U.S. Patent and Trademark Office
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Alexandria, VA 22314

TRANSMITTAL FORM

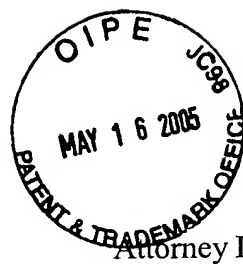
1. Transmitted herewith is the Issue Fee Transmittal (PTOL-85B).
2. Additional Papers Submitted:
(i) Comments on Statement of Reasons for Allowance
3. Fee Payment: The Commissioner is hereby authorized to charge **\$1,409.00** to Deposit Account No. 50-0310 for payment of the Issue Fee (\$1,400.00) and advance order of three soft copies of the issued patent.
4. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 0-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **May 16, 2005**
Morgan, Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP



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COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE

In response to the Statement of Reasons for Allowance (PTO Paper No. not assigned) dated February 17, 2005, Applicants submit the following comments.

While Applicants believe that all of the claims are allowable and patentably distinguish over the prior art, Applicants do not acquiesce that patentability resides in each of the listed features, exactly as expressed in the claims, nor that each and every feature referred to in the claims is required for patentability. The claims should not be limited to peptides that have been isolated from mollusks. The size of the peptides would clearly allow for chemical synthesis.

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